

Article - Environment

[\[Previous\]](#)[\[Next\]](#)

§15–1205.

(a) In this section, “litigation expenses” means costs and expenses that the court determines are reasonably and necessarily incurred in preparing for and prosecuting an action, including reasonable attorney’s fees.

(b) In an action to terminate a mineral interest in accordance with § 15–1203 of this subtitle, the court shall permit the owner of the mineral interest to record a late notice of intent to preserve the mineral interest as a condition of dismissal of the action, if the owner of the mineral interest pays the litigation expenses incurred by the surface owner of the real property that is subject to the mineral interest.

(c) This section does not apply in an action in which a mineral interest has been unused in accordance with § 15–1203 of this subtitle for a period of 40 years or more preceding the commencement of the action.

[\[Previous\]](#)[\[Next\]](#)